

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMARREA MCCOY-GORDON,

Plaintiff,

v.

GRAY, et al.,

Defendants.

No. 1:20-cv-01728-NONE-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. Nos. 1, 8)

DeMarrea McCoy-Gordon (“plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 15, 2020, the assigned magistrate judge entered findings and recommendations, recommending that “[t]his case proceed on Plaintiff’s Eighth Amendment conditions of confinement claim against defendants Garza, Gray, Rodriguez, and Silva,” and that “Plaintiff’s Eighth Amendment claim for deliberate indifference to his serious medical needs be dismissed.” (Doc. No. 8 at 10.)

Plaintiff was provided an opportunity to file objections to the findings and recommendations. The deadline for filing objections has passed and plaintiff has not filed objections or otherwise responded to the findings and recommendations.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
2 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
3 court finds the findings and recommendations to be supported by the record and proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on December 15, 2020, (Doc. No. 8),
6 are adopted in full;
- 7 2. This case shall proceed on plaintiff's Eighth Amendment conditions of
8 confinement claim against defendants Garza, Gray, Rodriguez, and Silva; and
- 9 3. Plaintiff's Eighth Amendment claim for deliberate indifference to his serious
10 medical needs is dismissed.

11 IT IS SO ORDERED.

12 Dated: **January 24, 2021**

13 
14 UNITED STATES DISTRICT JUDGE